

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE**

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| TITLE: _____ VS. _____ | DATE & TIME: _____ D5 | NUMBER _____ |
| COUNSEL Please see attached Clerk's Certificate of Mailing | REPORTER None Present | |
| PROCEEDING COURT TRIAL ORDER | | |

Status Conference held: _____.
Trial Time Estimate is a _____-day court trial.

This matter is set for a **Mandatory Settlement Conference** on _____, at 4050 Main Street, Riverside, California, in Department 163 (the Great Hall in the Court House). Pursuant to California Rules of Court rule 222, trial counsel shall personally attend this conference, along with the parties and any person necessary to provide full authority to settle (unless excused by the court upon a prior showing of good cause). A defendant government agency shall have a representative present with authority to settle. If legislative approval is required to pay plaintiff's demand, the agency shall have a representative present with authority to commit to recommend to the legislative body payment of an amount necessary to settle. **A settlement conference statement shall be provided by _____**, (at least 5 days prior to the Mandatory Settlement Conference) which includes a general description of the settlement efforts undertaken by the parties, but does not disclose the contents of any settlement negotiations or the amounts discussed.

Matter is set for **trial on _____, at 9:30 a.m., in Department 5** before the Honorable Edward D. Webster, Judge of the Superior Court, and a **Trial Management Conference is set for _____, at 9:30 a.m., in Department 5.**

Each attorney is directed to bring to the Trial Management Conference the following:

1. **Parties**: A written list of all parties, intervenors and/or lien claimants still in the case, and the attorney representing each party. If any party is not represented, so state. Each party will state the name of the attorney trying the case on their behalf.

2. **Nature of the Case**: A brief non-argumentative written statement of the case, including

_____, Judge

_____, Clerk

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COURT TRIAL ORDER

alleged injury or damage.

- 3. **Statement of Issues and Defenses:** A written statement of all issues and defenses, indicating those not in dispute and those remaining in dispute.
- 4. **Prior Orders and/or Findings:** A written statement of all prior orders and/or findings made in this case, including the date of the order(s) which are dispositive of or affect any issue or matter such as summary judgment, summary adjudication of issues, issue or evidence sanctions, etc.
- 5. **Relevant Facts not Reasonably Disputable:** List in writing all relevant facts not reasonably disputable. The parties are expected to make a good faith effort to stipulate to all facts not reasonably disputable for incorporation into the trial record without further support.
- 6. **Relief Prayed:** A detailed written statement of the relief claimed including itemization of all elements of damages claimed.
- 7. **Stipulations:** A statement of any stipulations requested or proposed for trial purposes.
- 8. **In Limine Motions and Other Motions at Start of Trial:** In limine motions shall be submitted in writing at the Trial Management Conference, together with points and authorities and proposed order. No in limine motion on any subject of which any party was or should have been aware at the time of the Trial Management Conference will be accepted at the time of trial, except for good cause. All other motions made at start of trial, such as motions for judgment on the pleadings, are subject to this same order.
- 9. **Miscellaneous:** Any other subject or matter relevant or material to the just, efficient and economical determination of this case should be raised at the Trial Management Conference.
- 10. **Interpreter:** A statement of whether an interpreter will be required for any party or witness in this trial.
- 11. **Use of Discovery Materials as Live Testimony:** If depositions, responses to requests for admissions and/or interrogatories or any other discovery materials are to be used in lieu of live testimony at trial, the party proposing such shall so state in the Trial Management Report and submit to opposing counsel all excerpts to be used. Opposing counsel shall state any objections thereto. Objections shall be heard prior to trial unless otherwise ordered by the Court.

All written information except motions, witness lists, exhibit lists and exhibits may be set forth in one Trial Management Conference Report. As a further order concerning trial preparation, the following orders will apply:

E. WEBSTER, Judge

J. Nocella, Clerk

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1. **Witnesses**: The parties shall prepare and serve on each other party, at least three days prior to trial, a list of all witnesses each party intends to call at trial, except those for impeachment or rebuttal, including the place of residence or business and designating witnesses to be called as experts. Unless good cause is shown at trial, no witness may be called who has not been disclosed in accordance with this requirement. (If such list is served by mail, it must be postmarked at least eight court days prior to trial.)

2. **Exhibits**: Prior to commencement of trial, the parties shall pre-mark and exchange all exhibits except those for impeachment or rebuttal. An exhibit list shall be prepared indicating the exhibit number and a brief description thereof, and the objection of any party to its foundation. Objection as to relevancy and materiality shall be reserved to the time of offered admission during trial. All parties are expected to stipulate to the admission of exhibits where no reasonable basis for objections exists. Counsel may, with prior Court approval, show enlargements and/or transparencies on overhead projectors. Exhibits not exchanged may not be used except on order of the Court on finding of good cause for failure to exchange.

Charts, Models, Graphics

The parties shall mark and exchange all charts, models, graphics, artistic illustrations, etc., and prepare a list thereof. Items not exchanged may not be used except on order of Court on a finding of good cause for failure to exchange.

E. WEBSTER, Judge

J. Nocella, Clerk

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